

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 JAMES K. MACK, SR.,)
9 Petitioner,) 2:16-cv-00118-GMN-GWF
10 vs.) **ORDER**
11 BRUCE STROUD,)
12 Respondents.)

14 On March 25, 2016, the court entered an order denying petitioner's motion to proceed *in*
15 *forma pauperis*, but allowing him thirty days within which to pay the \$5.00 filing fee for this habeas
16 corpus action. ECF No. 3. Petitioner has not complied with the court's order within the allotted
17 time, so the court will dismiss this action. Reasonable jurists would not find the court's conclusion
18 to be debatable or wrong, so the court will not issue a certificate of appealability.

19 **IT IS THEREFORE ORDERED** that this action is dismissed without prejudice for
20 petitioner's failure to comply with the court's order. The Clerk of the Court shall enter judgment
21 accordingly.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

23 **IT IS FURTHER ORDERED** that the Clerk shall add Adam Paul Laxalt, Attorney General
24 for the State of Nevada, as counsel for respondents.

25 **IT IS FURTHER ORDERED** that the Clerk shall electronically serve upon respondents a
26 copy of this order. No response is necessary.

1 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (ECF No.
2 2) is DENIED as moot.

3 . Dated this 5 day of May, 2016.

UNITED STATES DISTRICT JUDGE